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SUBJECT: SRI LANKA: HUMAN RIGHTS GROUPS VOICE CONCERN

REF: SECSTATE 200959

¶11. (SBU) SUMMARY: Following up on Secretary Rice's December 14 initiative, Ambassador Blake hosted a roundtable discussion with human rights activists and civil society representatives on December 21. The Ambassador briefed the group on USG efforts and also solicited views on how best to strengthen human rights protections in Sri Lanka.

Participants complained of a climate of fear, a lack of accountability in government institutions such as the Human Rights Commission, limited judicial independence, an anti-NGO atmosphere, and threats to media freedom. The Ambassador asked the discussants to provide written input within ten days and committed to pooling the best ideas in a document to share with senior Sri Lankan officials. End summary.

AMBASSADOR URGES GIVING COMMISSION OF INQUIRY A CHANCE

¶12. (SBU) On December 21, Ambassador Blake hosted a human rights round table for representatives of local human rights NGOs and think tanks. The Ambassador briefed the group on Secretary Rice's "Defending the Defenders" initiative and

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opened a broader discussion on the human rights climate in Sri Lanka. Dr. P. Sarvanamuttu, director of the Centre for Policy Alternatives, immediately criticized the U.S. for not supporting strong measures against Sri Lanka at the UN Human Rights Council. He dismissed government plans for a national Commission of Inquiry on Human Rights (CoI) with an International Independent Group of Eminent Persons (IIGEP) as a Government of Sri Lanka (GSL) ploy to buy time. The Ambassador responded that the USG did not believe the timing was appropriate in the fall of 2006 to support a strong HRC statement against Sri Lanka at precisely the time when President Rajapakse had shown leadership on the human rights issue by creating the CoI. The CoI should have a chance to prove itself with the IIGEP's assistance. He noted that the IIGEP experts will make public statements assessing the human rights situation, and should human rights violations continue, the international community would have to consider tougher action.

CULTURE OF IMPUNITY FOR HUMAN RIGHTS ABUSERS?

13. (SBU) Interlocutors also raised concerns about a climate of fear in Sri Lanka and a "culture of impunity." Dr. Kumar Rupasinghe of the Foundation for Co-Existence noted the increase in disappearances and the broad authority granted to security forces under the new anti-terrorism regulations. He said that many Tamil civilians and NGO activists are fearful, citing a contact who received a threatening call from a Sinhalese nationalist group. Rupasinghe said the international community could help bolster human rights by maintaining records of violations and holding the GSL accountable. He asserted that international pressure had stopped security forces acting against civilians in some LTTE-controlled areas.

14. (SBU) Interlocutors also said serious problems persist in the judiciary. Nuwan Peiris of the Legal Aid Commission accused the Attorney General and Supreme Court of limiting access to documents, making it difficult for civil society to exercise oversight on abuse cases. In addition, he said, many judges are biased and there is no check on their behavior. Others agreed, adding that the situation is exacerbated by a widespread perception that the Chief Justice is a presidential crony.

15. (SBU) Speakers criticized President Rajapaksa for circumventing the constitutional requirement that the Constitutional Council appoint heads of independent commissions. According to the discussants, citizens view the presidentially-appointed heads of the Human Rights Commission, Judicial Commission, Elections Commission, Police Commission, and Bribery Commission as too closely aligned to

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the administration and unwilling to adequately investigate complaints of government abuses. Joanna von Gerpen, the UNICEF Resident Representative, said the National Child Protection Agency (NCPA) also suffers from a similar lack of public confidence.

ANTI-NGO, ANTI-MEDIA SENTIMENTS ABOUND IN THE PUBLIC

16. (SBU) All participants expressed concern about an anti-NGO atmosphere, with Rupasinghe calling the parliamentary select committee on NGOs a "witch hunt." Rohan Edrisinha, director of the Centre for Policy Alternatives, said existing regulations make it difficult for NGOs to gain access to communities in need. Rupasinghe added that the media demonizes NGOs and adds to "war hysteria." Sunanda Deshapriya of the Free Media Movement added that the GSL was actively suppressing the Tamil media. He cited extrajudicial killings of journalists and newspaper distributors and arrests of media figures without due cause, noting the anti-terrorism regulations worsen the situation.

AMBASSADOR SEEKS WRITTEN INPUTS TO PRESENT TO THE GSL

17. (SBU) The Ambassador thanked all the participants for their candor. He noted that many NGOs apparently feel unsafe sharing views with the government as individuals or representatives of NGOs. He suggested that if participants forward written concerns to the Embassy within the next ten days, the Embassy would prepare a short summary document to present to high level GSL officials. The participants accepted the offer. Embassy will report on our follow-up with the Sri Lankan government.

BLAKE